

Notice of Allowability

Application No.

10/782,616

Applicant(s)

CARNEVALE, FRANCESCO
LEOPOLDO

Examiner

Faye Francis

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 1-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date ____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 5/20/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date herein.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Martin G. Belisario on Thursday November 4, 2005.

The application has been amended as follows: in claim 24 line 8, "one of the lid and bowl" has been replaced with --a lid shaft--.

Allowable Subject Matter

2. Claims 1-24 are allowed.
3. The following is an examiner's statement of reasons for allowance:

Claim 1 has been found to be allowable over the prior art of record because the prior art fails to teach or suggest a kitchen appliance with a safety interlock comprising: a housing including a drive shaft extending therefrom, at least one portion of the drive shaft being movable along the drive axis between an extended position and a retracted position, a lid shaft urging the at least one portion of the drive shaft into the retracted position when the lid shaft is in the operative position, the at least one portion of the drive shaft closing a switch in the retracted position such that power is able to be provided to the kitchen appliance, in combination with the remaining limitations of the claim.

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Claim 11 has been found to be allowable over the prior art of record because the prior art fails to teach or suggest a kitchen appliance with a safety interlock comprising: a drive shaft extending from the housing along a drive axis, a drive pin comprising at least a portion of the drive shaft, the drive pin being movable along the drive axis between a retracted position and an extended position, a bowl lid including a lid shaft being movable between an operative position and a safety position; and a feed tube lid including a tab extending therefrom, the tab urging the lid shaft into an operative position and the lid shaft urging the drive pin into the retracted position to close the switch and enable electric power to flow to the motor, in combination with the remaining limitations of the claim.

Claim 15 has been found to be allowable over the prior art of record because the prior art fails to teach or suggest a safety interlock for a kitchen appliance comprising: a drive shaft including a drive sleeve and a drive pin, the drive pin being movably mounted to the drive sleeve and being movable along the drive axis between an extended position and a retracted position, a switch being closed when the drive pin is in the retracted position, a bowl lid including a lid shaft, the lid shaft contacting the drive pin and moving the drive pin to the retracted position, in combination with the remaining limitations of the claim.

Claim 24 has been found to be allowable over the prior art of record because the prior art fails to teach or suggest a kitchen appliance with a safety interlock comprising: a drive shaft that extends out of the housing, at least one portion of the drive shaft being movable along a drive axis, a switch mounted in the housing, a lid shaft actuating the at

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least one portion of the drive shaft to close the switch such that power is able to be provided to the motor when the bowl is in the working position, in combination with the remaining limitations of the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faye Francis whose telephone number is 571-272-4423. The examiner can normally be reached on M-F 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on 571-272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FF


Faye Francis 11/4/05